

Docket No.: 1254-0299PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Takaji WAKITA et al.

Application No.: NEW

Confirmation No.: N/A

Filed: November 23, 2005

Art Unit: N/A

For: A NUCLEIC ACID CONSTRUCT  
CONTAINING A NUCLEIC ACID DERIVED  
FROM THE GENOME OF HEPATITIS C  
VIRUS (HCV) OF GENOTYPE 2a, AND A  
CELL HAVING SUCH NUCLEIC ACID  
CONSTRUCT INTRODUCED THEREIN

Examiner: Not Yet Assigned

**PETITION UNDER 37 C.F.R § 1.84(A)(2)**  
**TO ACCEPT COLOR DRAWINGS AND/OR PHOTOGRAPHS**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions that color drawings under 37 C.F.R. § 1.84(a)(2) be accepted in the above-identified application.

Color drawings are necessary as they are the only practical medium by which the subject matter of the present application can be disclosed. Three (3) sets of color drawings are provided, and are believed to be of sufficient quality that all details will be reproducible in black and white in the printed patent.

It is noted that black and white photocopies of any color drawing or photograph are no longer required under 37 C.F.R. § 1.84(a)(2)(iii) as of October 1, 2001.

Amendment to the Specification

Preliminary Amendment is being submitted concurrently herewith, providing reference to the color drawings in the first paragraph of the brief description of the drawings.

The required fee under 37 C.F.R. § 1.17(h) is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: November 23, 2005

Respectfully submitted,

By   
Andrew D. Meikle  
Registration No.: 32,868  
Attorney for Applicant

Attachment(s)

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FEE  
Under 37 CFR 1.17(f), (g) & (h)  
TRANSMITTAL**

(Fees are subject to annual revision)

**Send completed form to:**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	NEW
Filing Date	November 23, 2005
First Named Inventor	Takaji WAKITA
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	1254-0299PUS1

**Enclosed is a petition filed under 37 CFR 1.84 that requires a processing fee (37 CFR 1.17(f)), (g), or (h). Payment of \$ 130.00 is enclosed.**

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

- The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 02-2448 :  
 Petition fee under 37 CFR 1.17(f), (g) or (h)  Any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

- Check in the amount of \$ 1,960.00 is enclosed.

- Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) – to accord a filing date.  
 § 1.57(a) – to accord a filing date.  
 § 1.182 – for decision on a question not specifically provided for.  
 § 1.183 – to suspend the rules.  
 § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.  
 § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

- § 1.12 – for access to an assignment record.  
 § 1.14 – for access to an application.  
 § 1.47 – for filing by other than all the inventors or a person not the inventor.  
 § 1.59 – for expungement of information.  
 § 1.103(a) – to suspend action in an application.  
 § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.  
 § 1.295 – for review of refusal to publish a statutory invention registration.  
 § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.  
 § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.  
 § 1.550(c) – for patent owner requests for extension of time in *ex parte* reexamination proceedings.  
 § 1.956 – for patent owner requests for extension of time in *inter partes* reexamination proceedings.  
 § 5.12 – for expedited handling of a foreign filing license.  
 § 5.15 – for changing the scope of a license.  
 § 5.25 – for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) – to request documents in a form other than that provided in this part.  
 § 1.84 – for accepting color drawings or photographs.  
 § 1.91 – for entry of a model or exhibit.  
 § 1.102(d) – to make an application special.  
 § 1.138(c) – to expressly abandon an application to avoid publication.  
 § 1.313 – to withdraw an application from issue.  
 § 1.314 – to defer issuance of a patent.

November 23, 2005

Date



Signature

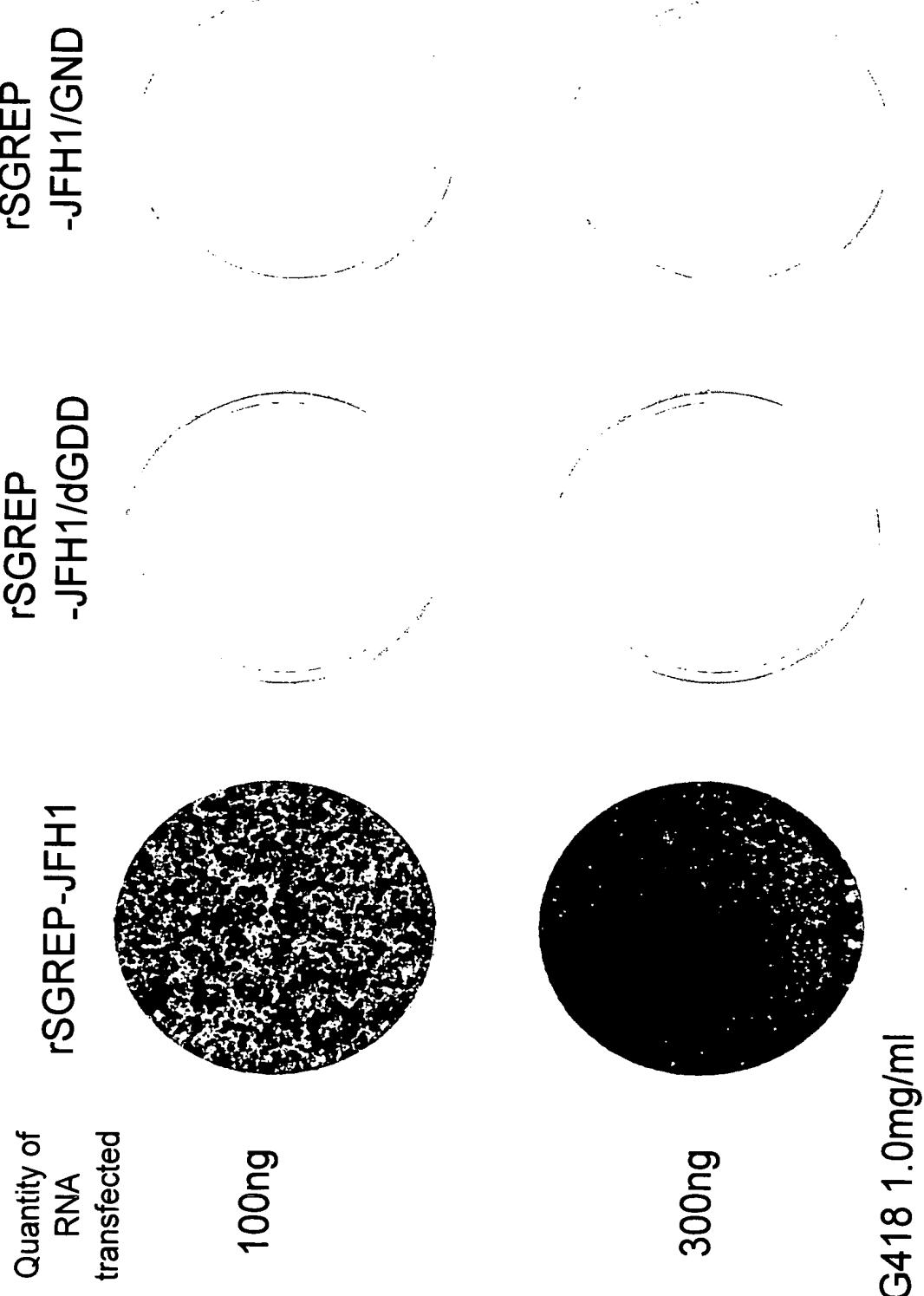
Andrew D. Meikle

Typed or printed name

32,868

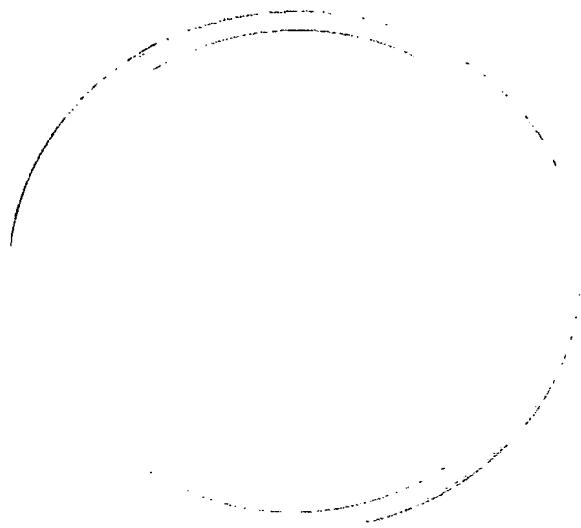
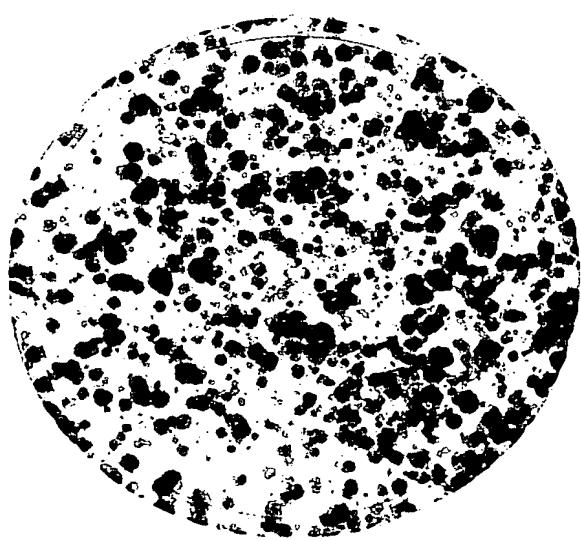
Registration No., if applicable

**Fig.4**



**Fig.5**

rSGREP-JFH1

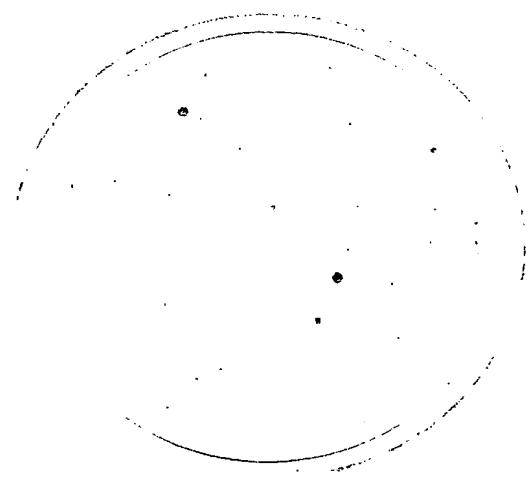
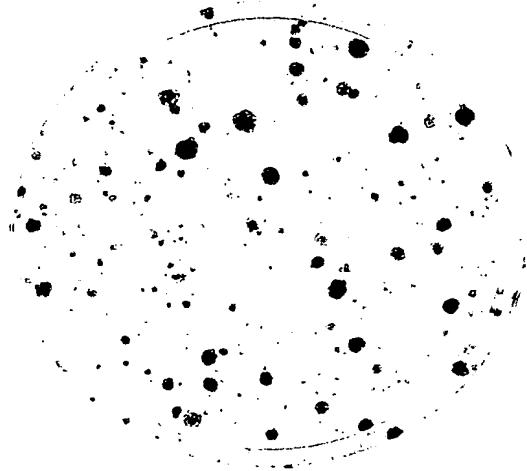


G418 0.5mg/ml

Quantity of RNA transfected 100ng

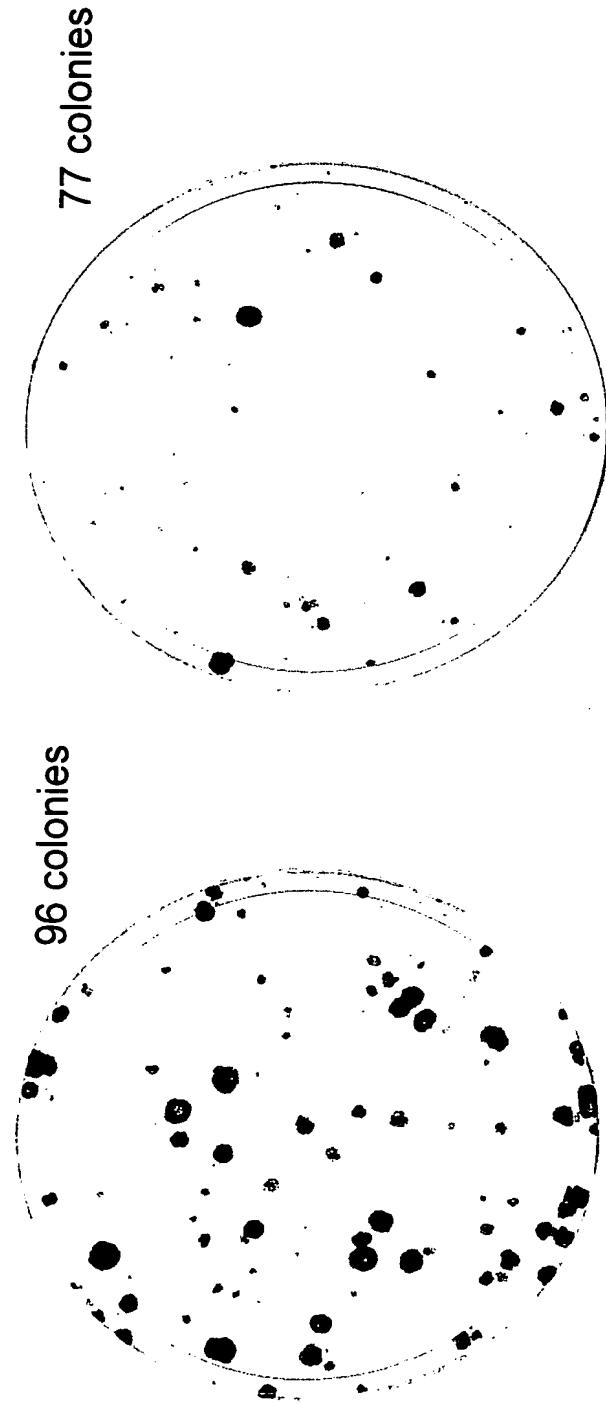
**Fig.6**

Untreated with  
Treated with  
Mung Bean Nuclease



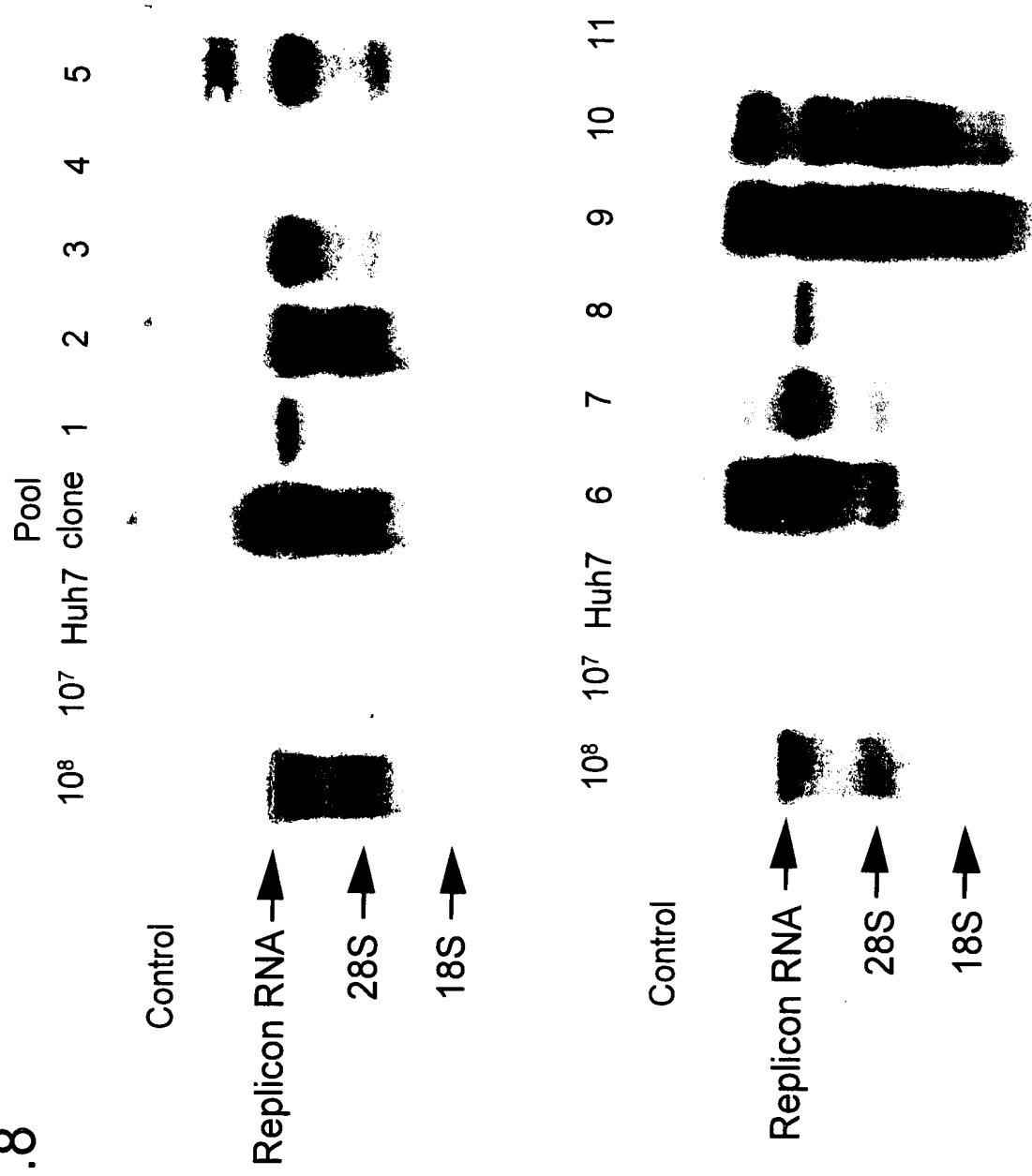
G418 1.0mg/ml

**Fig. 7**

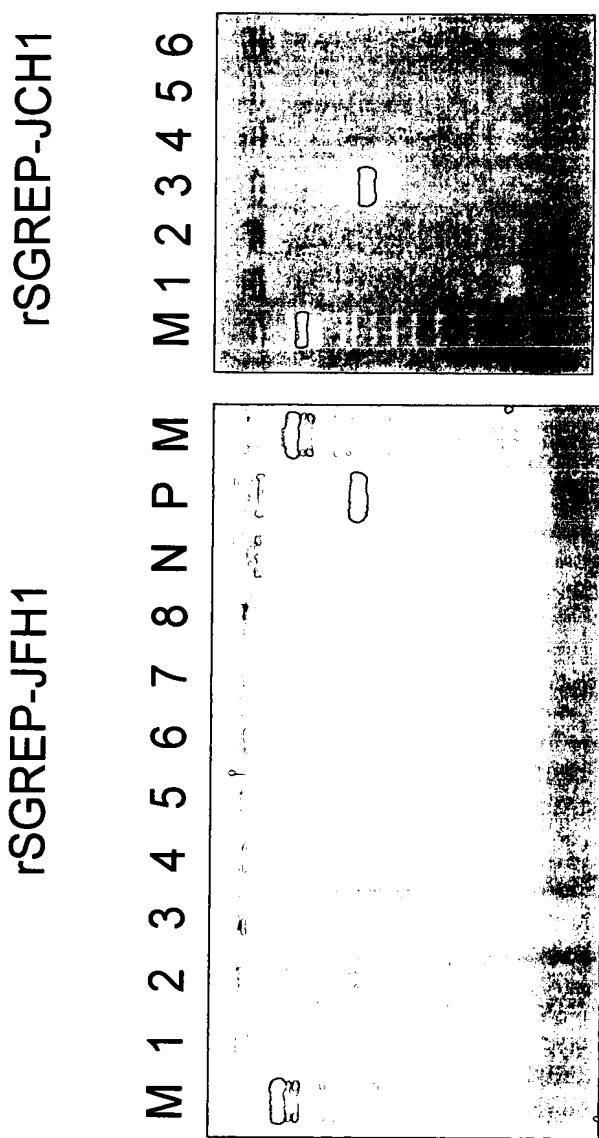


rSGREP-JFH1  
Clone No. 6-derived RNA  
Transfection of  $1 \times 10^7$  copies

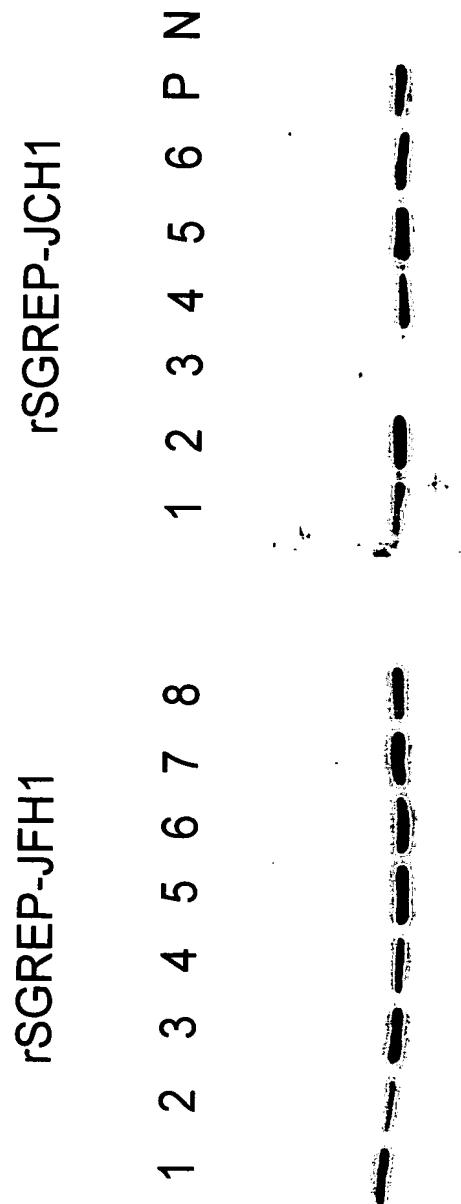
**Fig.8**



**Fig.9**



**Fig.10**



**Fig. 12**

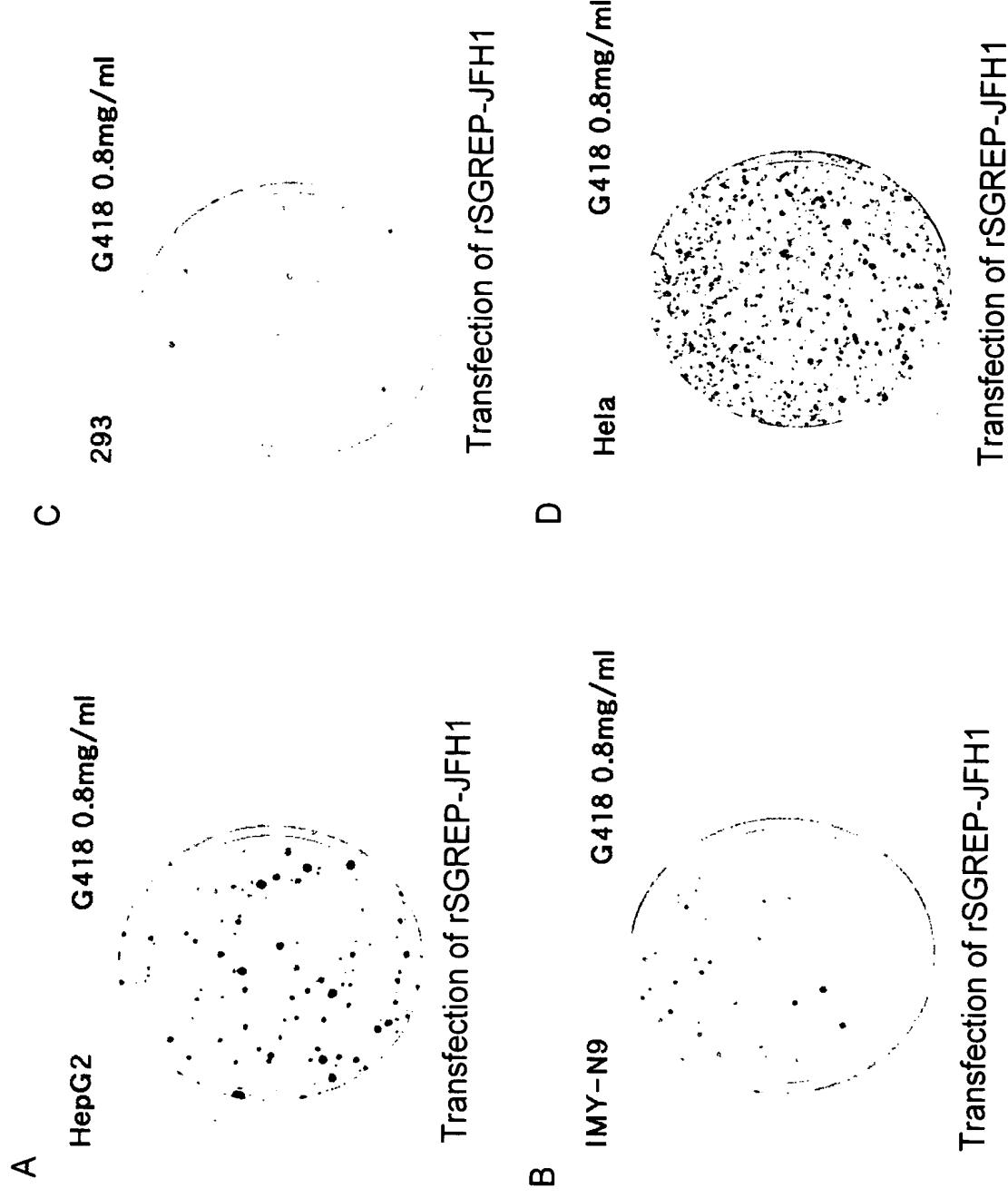


Fig.13

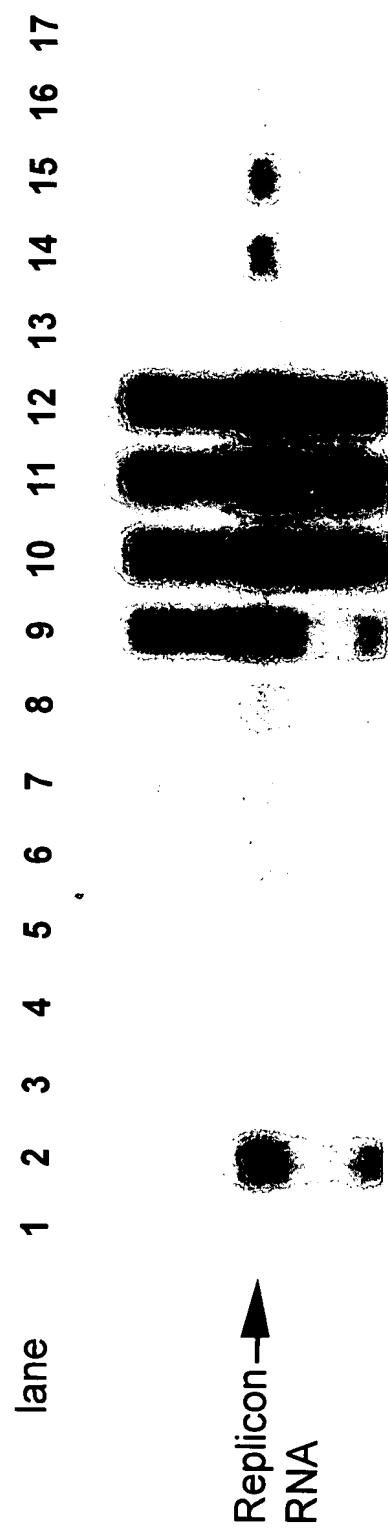
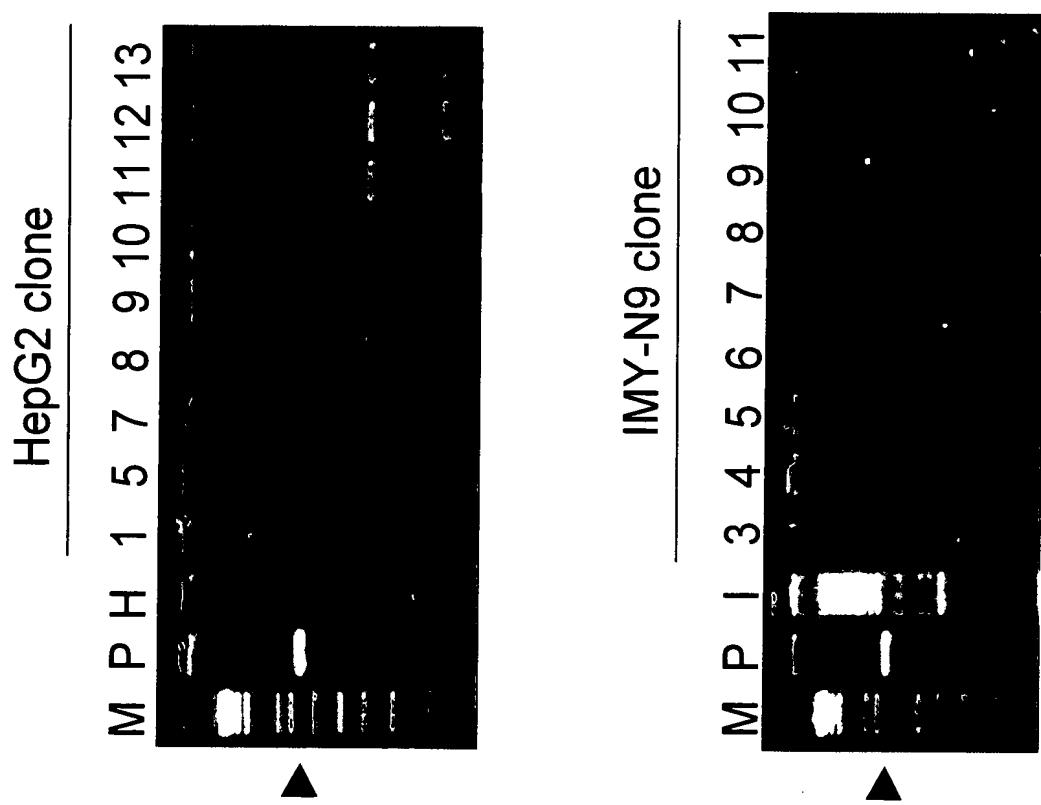


Fig. 14



**Fig. 15**

